

EXHIBIT A

1 Daniel J. McLoon (State Bar No. 109598)
Michael G. Morgan (State Bar No. 170611)
2 JONES DAY
555 South Flower Street, 50th Floor
3 Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
4 Facsimile: (213) 243-2539
Email: djmcloon@jonesday.com
5 mgmorgan@jonesday.com

6 Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

7
8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

11 ROANE HOLMAN,
12 and all others similarly situated,

13 Plaintiffs,

14 v.

15 EXPERIAN INFORMATION SOLUTIONS,
16 INC.; FINEX GROUP LLC,

17 Defendants.

Case No. CV-11-00180-CW

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS, INC.'S
SECOND SET OF
INTERROGATORIES TO
PLAINTIFF MIGUEL A. ALVAREZ**

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19 PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

20 RESPONDING PARTY: PLAINTIFF MIGUEL A. ALVAREZ

21 SET NUMBER: TWO
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1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Experian Information Solutions, Inc. ("Experian"), pursuant to Rule 33 of the Federal
3 Rules of Civil Procedure, hereby serves upon Plaintiff Miguel A. Alvarez ("Plaintiff") the
4 following interrogatories, which must be answered separately and fully in writing, under oath,
5 within thirty days after service.

6 **I. DEFINITIONS AND INSTRUCTIONS**

7 The following definitions and instructions shall apply to Experian's interrogatories:

- 8 1. "YOU" or "YOUR" refers to Plaintiff Alvarez and his agents.
- 9 2. "EXPERIAN" refers to Experian Information Solutions, Inc.
- 10 3. "FINEX" refers to Finex Group LLC, a California corporation with its principal
11 place of business in San Jose, California.
- 12 4. "FINEX LIST" refers to the spreadsheets that Plaintiffs provided to Experian on or
13 about July 9, 2012 purporting to set forth information pertaining to approximately 36,387
14 consumers.
- 15 5. "FINEX FILES" refers to the consumer account files and other records that
16 Plaintiffs provided to Experian on or about May 16, 2012 and August 8, 2012.
- 17 6. "COMMUNICATION" means any and all forms of exchanging information,
18 whether in writing, electronically, verbally, orally, telephonically, or otherwise.
- 19 7. The words "and" or "or" shall be construed conjunctively or disjunctively as
20 necessary to make the requests inclusive rather than exclusive.
- 21 8. The use of the word "including" shall be construed to mean "including without
22 limitation."
- 23 9. "All," "Any," and "Each" shall be construed as "any and every."
- 24 10. Reference to the singular in any of these requests shall also include a reference to
25 the plural, and reference to the plural shall include a reference to the singular.
- 26 11. "RELATE TO," "RELATED TO," or "RELATING TO" shall mean directly or
27 indirectly supporting, evidencing, describing, mentioning, referring to, contradicting, comprising
28 or concerning.

12. In answering these interrogatories, YOU shall furnish all information known or available. If any of these interrogatories cannot be answered in full, the interrogatory shall be answered to the extent possible.

13. In the event YOU assert any form of objection or privilege as a ground for not answering an interrogatory or any part of an interrogatory, set forth the legal grounds and facts upon which the objection or privilege is based. If the objection relates only to part of the interrogatory, the balance of the interrogatory should be answered in full.

III. INTERROGATORIES

INTERROGATORY NO. 20:

If YOU deny Request for Admission No. 1 with respect to any consumer whose FINEX FILE contains a note or other written document in which the consumer requests a tow, then identify each such consumer and identify all the evidence that YOU claim establishes that the consumer did not initiate the tow of the consumer's vehicle.

INTERROGATORY NO. 21:

If YOU deny Request for Admission No. 2 with respect to any consumer whose FINEX FILE contains a note or other written document indicating that the person requested a tow through an automobile club (e.g., AAA), then identify each such consumer and identify all the evidence that YOU claim establishes that the consumer did not initiate the tow of the consumer's vehicle.

INTERROGATORY NO. 22:

If YOU deny Request for Admission No. 3 with respect to any consumer whose FINEX FILE contains a note or other written document indicating that the consumer requested a tow and was later unable to obtain insurance coverage for the tow, then identify each such consumer and identify all the evidence that YOU claim establishes that the consumer did not initiate the tow of the consumer's vehicle.

INTERROGATORY NO. 23:

If YOU deny Request for Admission No. 4 with respect to any consumer whose FINEX FILE contains a note or other written document indicating that the consumer paid for the tow with a check that later bounced, then identify each such consumer and identify all the evidence that

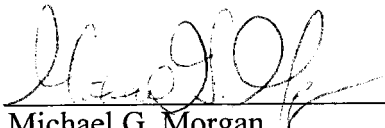
1 YOU claim establishes that the consumer did not initiate the tow of the consumer's vehicle.

2 **INTERROGATORY NO. 24:**

3 If YOU deny Request for Admission No. 5 with respect to any consumer whose FINEX
4 FILE contains evidence that, at the time of the tow, the consumer provided a credit card to the
5 tow company, then identify each such consumer and identify all the evidence that YOU claim
6 establishes that the consumer did not initiate the tow of the consumer's vehicle.

7 Dated: October 14, 2012

JONES DAY

8
9 By: 
10 Michael G. Morgan

11 Attorneys for Defendant
12 EXPERIAN INFORMATION SOLUTIONS,
13 INC.
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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S**
8 **SECOND SET OF INTERROGATORIES TO PLAINTIFF MIGUEL A.**
9 **ALVAREZ**

10 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California addressed as set
12 forth below.

13 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
14 persons at the address set forth below and providing them to a professional
15 messenger service for personal service.

16 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
17 to the person(s) at the e-mail address(es) set forth below.

18 **VIA PERSONAL AND**
19 **ELECTRONIC SERVICE**

20 Andrew J. Ogilvie, Esq.
21 Mark F. Anderson, Esq.
22 Carol Brewer, Esq.
23 ANDERSON, OGILVIE & BREWER,
24 LLP
25 600 California Street, 18th Floor
26 San Francisco, CA 94108
27 Tel: (415) 651-1951/(415) 651-1952
28 Fax: (415) 956-3233
andy@aoblawyers.com
mark@aoblawyers.com
carol@aoblawyers.com

VIA FIRST CLASS MAIL AND
ELECTRONIC SERVICE

Balám O. Letona, Esq.
LAW OFFICE OF BALÁM O.
LETONA
55 River Street, Suite 220
Santa Cruz, CA 94064
Tel. (831) 421-0200
Fax. (831) 421-0400
letonalaw@gmail.com

24 I am readily familiar with the firm's practice of collection and processing correspondence
25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
27 motion of the party served, service is presumed invalid if postal cancellation date or postage
28 meter date is more than one day after date of deposit for mailing an affidavit.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

5
6 
7 Martha Manriquez

1 Daniel J. McLoon (State Bar No. 109598)
Michael G. Morgan (State Bar No. 170611)
2 JONES DAY
555 South Flower Street, 50th Floor
3 Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
4 Facsimile: (213) 243-2539
Email: djmcloon@jonesday.com
5 mgmorgan@jonesday.com

6 Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

11
12 ROANE HOLMAN, and all others similarly
situated,

13 Plaintiffs,

14 v.

15 EXPERIAN INFORMATION SOLUTIONS,
16 INC.; FINEX GROUP LLC,

17 Defendants.

Case No. CV-11-00180-CW

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS, INC.'S
SECOND SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS TO
PLAINTIFF MIGUEL A. ALVAREZ**

18
19 PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

20 RESPONDING PARTY: PLAINTIFF MIGUEL A. ALVAREZ

21 SET NUMBER: TWO
22
23
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1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Experian Information Solutions, Inc. ("Experian"), pursuant to Rules 26 and 34 of the
3 Federal Rules of Civil Procedure, hereby serves upon Plaintiff Miguel A. Alvarez ("Plaintiff") the
4 following requests for production of documents. Plaintiff shall produce the requested documents
5 for inspection and copying at the offices of Jones Day, 555 South Flower, 50th Floor, Los
6 Angeles, California, 90071, within 30 days of the service of these requests.

7 **DEFINITIONS AND INSTRUCTIONS**

8 The following definitions and instructions shall apply to Experian's requests:

9 1. "DOCUMENT" is used in the broadest sense contemplated by Federal Rule of
10 Civil Procedure 34, and includes, but is not limited to, the following items: agreements; drafts;
11 communications; correspondence; e-mails; telegrams; cables; facsimiles; memoranda; records;
12 books; financial statements; summaries of records or notes of personal conversations or
13 interviews; diaries; calendars; forecasts; statistical statements; accountant's work papers; graphs;
14 charts; maps; diagrams; blue prints; tables; indexes; pictures; recordings; tapes; microfilm; charge
15 clips; accounts; analytical records; minutes or records of meetings or conferences; reports and/or
16 summaries of investigations; opinions or reports of consultants; appraisals; reports and/or
17 summaries of negotiations; brochures; pamphlets; circulars; trade letters; press releases; contracts;
18 stenographic, handwritten or any other notes; projections; working papers; federal and state
19 income tax returns; checks, front and back; check stubs or receipts; shipping documents;
20 manifests; invoice vouchers; computer printouts and computer disks and tapes; and tape data
21 sheets or data processing cards or disks or any other written, recorded, transcribed, punched,
22 taped, filmed or graphic matters; however produced or reproduced.

23 2. "YOU" or "YOUR" refers to Plaintiff Miguel A. Alvarez and his agents.

24 3. Reference to the singular in any of these requests shall also include a reference to
25 the plural, and reference to the plural shall include a reference to the singular.

26 4. The documents requested herein shall be produced as they are kept in the usual
27 course of business or shall be organized and labeled according to the number of the document
28 request to which the documents pertain.

1 5. The duty to produce documents shall not be limited or affected by the fact that the
2 same document is available through another source. All documents should be produced which
3 are not subject to an objection and are known by, possessed or controlled by, or available to YOU
4 or any of YOUR attorneys, consultants, representatives, employees, officers, directors, partners,
5 or other agents.

6 6. In the event YOU assert any form of objection or privilege as a ground for not
7 answering a document production request or any part of a request, please set forth the legal
8 grounds and facts upon which the objection or privilege is based. If the objection relates to only
9 part of the document request, the balance of the request should be answered in full. With respect
10 to any document which is withheld on a claim of privilege, YOU shall provide, at the time the
11 responses are due hereunder, a statement setting forth as to each such document the following
12 information:

- 13 a. the name(s) of the sender(s) of the document;
- 14 b. the name(s) of the author(s) of the document;
- 15 c. the name(s) of the person(s) to whom the document or copies were sent;
- 16 d. the date of the document;
- 17 e. a brief description of the nature and subject matter of the document; and
- 18 f. the nature of the privilege or the authority which is claimed to give rise to
19 it.

20 7. If any documents requested have been destroyed, lost, mislaid, or are otherwise
21 missing, please so state, specifying for each document or thing:

- 22 a. the type of document;
- 23 b. a description of the nature and contents of the document;
- 24 c. the identity of the author;
- 25 d. the circumstances under which it was destroyed, lost, mislaid, or otherwise
26 misplaced;
- 27 e. the identity of all Person(s) having knowledge of the circumstances under
28 which it ceased to exist; and

1 f. the identity of all Person(s) who had knowledge of the contents.

2 8. Should you obtain any other documents or information which would supplement
3 or modify the documents or information supplied by you in response to this request, you are
4 directed, pursuant to Federal Rule of Civil Procedure 26(e), to give timely notice of such
5 documents and information and to furnish the additional documents or information to
6 EXPERIAN without delay.

7 **DOCUMENTS TO BE PRODUCED**

8 **REQUEST FOR PRODUCTION NO. 45:**

9 All DOCUMENTS identified in YOUR responses to Experian's Second Set of
10 Interrogatories.

11 Dated: October 2, 2012

JONES DAY

12
13
14 By: 

Michael G. Morgan

15 Attorneys for Defendant
16 EXPERIAN INFORMATION SOLUTIONS,
17 INC.
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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S**
8 **SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**
9 **TO PLAINTIFF MIGUEL A. ALVAREZ**

10 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California addressed as set
12 forth below.

13 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
14 persons at the address set forth below and providing them to a professional
15 messenger service for personal service.

16 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
17 to the person(s) at the e-mail address(es) set forth below.

18 **VIA PERSONAL AND**
19 **ELECTRONIC SERVICE**

20 Andrew J. Ogilvie, Esq.
21 Mark F. Anderson, Esq.
22 Carol Brewer, Esq.
23 ANDERSON, OGILVIE & BREWER,
24 LLP
25 600 California Street, 18th Floor
26 San Francisco, CA 94108
27 Tel: (415) 651-1951/(415) 651-1952
28 Fax: (415) 956-3233
andy@aoblawyers.com
mark@aoblawyers.com
carol@aoblawyers.com

VIA FIRST CLASS MAIL AND
ELECTRONIC SERVICE

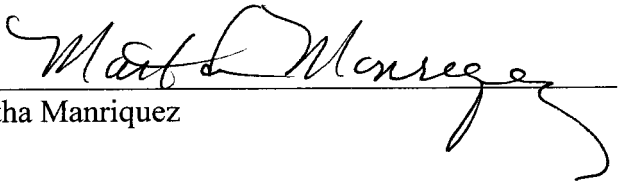
Balám O. Letona, Esq.
LAW OFFICE OF BALÁM O.
LETONA
55 River Street, Suite 220
Santa Cruz, CA 94064
Tel. (831) 421-0200
Fax. (831) 421-0400
letonalaw@gmail.com

24 I am readily familiar with the firm's practice of collection and processing correspondence
25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
27 motion of the party served, service is presumed invalid if postal cancellation date or postage
28 meter date is more than one day after date of deposit for mailing an affidavit.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

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7 Martha Manriquez
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Daniel J. McLoon (State Bar No. 109598)
Michael G. Morgan (State Bar No. 170611)
JONES DAY
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Los Angeles, CA 90071-2300
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Facsimile: (213) 243-2539
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mgmorgan@JonesDay.com

Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ROANE HOLMAN, and all others similarly
situated,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; FINEX GROUP LLC,

Defendants.

Case No. CV-11-00180-CW

Assigned to the Honorable
Claudia Wilken

**EXPERIAN INFORMATION
SOLUTIONS, INC.'S FIRST SET OF
REQUESTS FOR ADMISSION TO
PLAINTIFF MIGUEL A. ALVAREZ**

PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

RESPONDING PARTY: PLAINTIFF MIGUEL A. ALVAREZ

SET NO.: ONE

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Pursuant to Federal Rule of Civil Procedure 36, Experian Information Solutions, Inc.
3 (“Experian”) hereby requests that Plaintiff Miguel A. Alvarez (“Plaintiff”) respond to the
4 following requests for admissions within thirty (30) days of service.

5 **DEFINITIONS AND INSTRUCTIONS**

6 The following definitions and instructions shall apply to Experian’s Request for Admissions:

- 7 1. “YOU” or “YOUR” refers to Plaintiff Alvarez and his agents.
- 8 2. “EXPERIAN” refers to Experian Information Solutions, Inc.
- 9 3. “FINEX” refers to Finex Group LLC, a California corporation with its principal
10 place of business in San Jose, California.
- 11 4. “FINEX LIST” refers to the spreadsheets that Plaintiffs provided to Experian on or
12 about July 9, 2012 purporting to set forth information pertaining to approximately 36,387
13 consumers.
- 14 5. “FINEX FILES” refers to the consumer account files and other records that
15 Plaintiffs provided to Experian on or about May 16, 2012 and August 8, 2012.

16 **REQUEST FOR ADMISSIONS**

17 **REQUEST FOR ADMISSION NO. 1:**

18 With respect to each consumer whose FINEX FILE contains a note or other written
19 document in which the consumer requests a tow, admit that YOU have no evidence to establish
20 that the tow of the consumer’s vehicle was not initiated by the consumer. (*See e.g.*, FINEX FILE
21 produced as 116219.pdf, containing a letter in which the consumer writes: “Transmission went
22 out TOW AWAY Car is Broken Don’t Want Anymore feel Free to call This Phone # (818) 269-
23 8389 IF You Have Any Questions Thanks.”)

24 **REQUEST FOR ADMISSION NO. 2:**

25 With respect to each consumer whose FINEX FILE contains a note or other written
26 document indicating that the person requested a tow through an automobile club (e.g., AAA),
27 admit that YOU have no evidence to establish that the tow was not initiated by the consumer.
28 (*See e.g.*, FINEX FILE produced as 119316.pdf, containing a letter from the Automobile Club of

1 Southern California indicating that “the call was placed by our member” and refusing to pay for
2 the tow.)

3 **REQUEST FOR ADMISSION NO. 3:**

4 With respect to each consumer whose FINEX FILE contains a note or other written
5 document indicating that the consumer requested a tow and was later unable to obtain insurance
6 coverage for the tow, admit that YOU have no evidence to establish that the consumer did not
7 initiate the tow. (*See e.g.*, FINEX FILE produced as 113093.pdf, containing a letter from State
8 Farm Insurance stating that “[Y]our 1990 Mazda pickup was towed twice. It was originally
9 towed from the area of disablement to a repair facility, then towed from that repair shop to
10 another location because you felt like the repair shop was taking advantage and charging for
11 unnecessary repairs. However, since the repairs could have been accomplished at the repair
12 facility, only the first tow is covered.”)

13 **REQUEST FOR ADMISSION NO. 4:**

14 With respect to each consumer whose FINEX FILE contains a note or other written
15 document indicating that the consumer paid for the tow with a check that later bounced, admit
16 that YOU have no evidence to establish that the consumer did not initiate the tow. (*See e.g.*,
17 FINEX FILE produced as 109755.pdf, containing a letter from the towing company stating that
18 “At the time of service we accepted your personal check in the amount of \$65.00 for the charges
19 due. Please be advised that your check has been returned to us unpaid.”)

20 **REQUEST FOR ADMISSION NO. 5:**

21 With respect to each consumer whose FINEX FILE contains evidence that, at the time of
22 the tow, the consumer provided a credit card to the tow company, admit that YOU have no
23 evidence to establish that the consumer did not initiate the tow. (*See e.g.*, FINEX FILE produced
24 as 109723.pdf, containing a letter from the towing company states “We recently towed your Ford

25 /

26 /

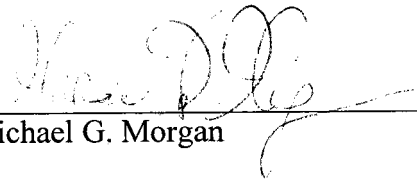
27 /

28 /

1 Mustang on November 3, 2008 from Burlingame to Belmont. There was an issue with your
2 credit card.”)

3
4 Dated: October 18, 2012

JONES DAY

5
6 By: 
Michael G. Morgan

7 Attorneys for Defendant
8 EXPERIAN INFORMATION SOLUTIONS,
9 INC.

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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **EXPERIAN INFORMATION SOLUTIONS, INC.'S FIRST SET OF**
8 **REQUESTS FOR ADMISSION TO PLAINTIFF MIGUEL A. ALVAREZ**

9 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
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forth below.

11 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
12 persons at the address set forth below and providing them to a professional
messenger service for personal service.

13 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
14 to the person(s) at the e-mail address(es) set forth below.

15 **VIA PERSONAL AND**
16 **ELECTRONIC SERVICE**

17 Andrew J. Ogilvie, Esq.
18 Mark F. Anderson, Esq.
19 Carol Brewer, Esq.
20 ANDERSON, OGILVIE & BREWER,
21 LLP
22 600 California Street, 18th Floor
San Francisco, CA 94108
Tel: (415) 651-1951/(415) 651-1952
Fax: (415) 956-3233
andy@aoblawyers.com
mark@aoblawyers.com
carol@aoblawyers.com

VIA FIRST CLASS MAIL AND
ELECTRONIC SERVICE

Balám O. Letona, Esq.
LAW OFFICE OF BALÁM O.
LETONA
55 River Street, Suite 220
Santa Cruz, CA 94064
Tel. (831) 421-0200
Fax. (831) 421-0400
letonalaw@gmail.com

23 I am readily familiar with the firm's practice of collection and processing correspondence
24 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
25 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
26 motion of the party served, service is presumed invalid if postal cancellation date or postage
27 meter date is more than one day after date of deposit for mailing an affidavit.
28

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

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7 Martha Manriquez

Daniel J. McLoon (State Bar No. 109598)
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Email: djmcloon@jonesday.com
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Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ROANE HOLMAN,
and all others similarly situated,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; FINEX GROUP LLC,

Defendants.

Case No. CV-11-00180-CW

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS, INC.'S
SECOND SET OF
INTERROGATORIES TO
PLAINTIFF NARCISCO NAVARRO
HERNANDEZ**

PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

RESPONDING PARTY: PLAINTIFF NARCISCO NAVARRO HERNANDEZ

SET NUMBER: TWO

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Experian Information Solutions, Inc. ("Experian"), pursuant to Rule 33 of the Federal
3 Rules of Civil Procedure, hereby serves upon Plaintiff Narcisco Navarro Hernandez ("Plaintiff")
4 the following interrogatories, which must be answered separately and fully in writing, under oath,
5 within thirty days after service.

6 **I. DEFINITIONS AND INSTRUCTIONS**

7 The following definitions and instructions shall apply to Experian's interrogatories:

- 8 1. "YOU" or "YOUR" refers to Plaintiff Hernandez and his agents.
- 9 2. "EXPERIAN" refers to Experian Information Solutions, Inc.
- 10 3. "FINEX" refers to Finex Group LLC, a California corporation with its principal
11 place of business in San Jose, California.
- 12 4. "FINEX LIST" refers to the spreadsheets that Plaintiffs provided to Experian on or
13 about July 9, 2012 purporting to set forth information pertaining to approximately 36,387
14 consumers.
- 15 5. "FINEX FILES" refers to the consumer account files and other records that
16 Plaintiffs provided to Experian on or about May 16, 2012 and August 8, 2012.
- 17 6. "COMMUNICATION" means any and all forms of exchanging information,
18 whether in writing, electronically, verbally, orally, telephonically, or otherwise.
- 19 7. The words "and" or "or" shall be construed conjunctively or disjunctively as
20 necessary to make the requests inclusive rather than exclusive.
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22 limitation."
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- 24 10. Reference to the singular in any of these requests shall also include a reference to
25 the plural, and reference to the plural shall include a reference to the singular.
- 26 11. "RELATE TO," "RELATED TO," or "RELATING TO" shall mean directly or
27 indirectly supporting, evidencing, describing, mentioning, referring to, contradicting, comprising
28 or concerning.

12. In answering these interrogatories, YOU shall furnish all information known or available. If any of these interrogatories cannot be answered in full, the interrogatory shall be answered to the extent possible.

13. In the event YOU assert any form of objection or privilege as a ground for not answering an interrogatory or any part of an interrogatory, set forth the legal grounds and facts upon which the objection or privilege is based. If the objection relates only to part of the interrogatory, the balance of the interrogatory should be answered in full.

III. INTERROGATORIES

INTERROGATORY NO. 20:

If YOU deny Request for Admission No. 1, then identify each person on the FINEX LIST who YOU contend did not initiate the tow of their vehicle and identify all the evidence that supports that claim.

INTERROGATORY NO. 21:

If YOU deny Request for Admission No. 2, then identify each person on the FINEX LIST who YOU contend did not have a towing debt that was judicially established and identify all the evidence that supports that claim.

INTERROGATORY NO. 22:

If YOU deny Request for Admission No. 3 with respect to any consumer whose FINEX FILE contains a notice of lien sale purporting to indicate that a public agency authorized the tow of the consumer's vehicle, then identify each such consumer and identify all the evidence that YOU claim establishes that the tow was not initiated by the consumer.

INTERROGATORY NO. 23:

If YOU deny Request for Admission No. 4 with respect to any consumer whose FINEX FILE contains a notice of lien sale purporting to indicate that a public agency did not authorize the tow of the consumer's vehicle, then identify each such consumer and identify all the evidence that YOU claim establishes that the consumer did not ask the public agency to request the tow.

INTERROGATORY NO. 24:

Identify each consumer on the FINEX LIST who initiated the towing of his or her vehicle

1 and identify all evidence that YOU have which establishes that the consumer initiated the towing
2 of his or her vehicle.

3 **INTERROGATORY NO. 25:**

4 Identify each consumer on the FINEX LIST whose towing debt was judicially established
5 and identify all evidence that YOU have which establishes that the consumer's towing debt was
6 judicially established.

7
8 Dated: October 12, 2012

JONES DAY

9
10 By: 

Michael G. Morgan

11 Attorneys for Defendant
12 EXPERIAN INFORMATION SOLUTIONS,
13 INC.
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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S**
8 **SECOND SET OF INTERROGATORIES TO PLAINTIFF NARCISCO**
9 **NAVARRO HERNANDEZ**

10 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California addressed as set
12 forth below.

13 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
14 persons at the address set forth below and providing them to a professional
15 messenger service for personal service.

16 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
17 to the person(s) at the e-mail address(es) set forth below.

18 **VIA PERSONAL AND**
19 **ELECTRONIC SERVICE**

20 Andrew J. Ogilvie, Esq.
21 Mark F. Anderson, Esq.
22 Carol Brewer, Esq.
23 ANDERSON, OGILVIE & BREWER,
24 LLP
25 600 California Street, 18th Floor
26 San Francisco, CA 94108
27 Tel: (415) 651-1951/(415) 651-1952
28 Fax: (415) 956-3233
andy@aoblawyers.com
mark@aoblawyers.com
carol@aoblawyers.com

VIA FIRST CLASS MAIL AND
ELECTRONIC SERVICE

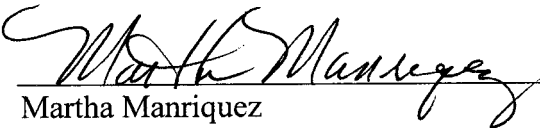
Balám O. Letona, Esq.
LAW OFFICE OF BALÁM O.
LETONA
55 River Street, Suite 220
Santa Cruz, CA 94064
Tel. (831) 421-0200
Fax. (831) 421-0400
letonalaw@gmail.com

I am readily familiar with the firm's practice of collection and processing correspondence
for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than one day after date of deposit for mailing an affidavit.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

5
6 
7 Martha Manriquez

Daniel J. McLoon (State Bar No. 109598)
Michael G. Morgan (State Bar No. 170611)
JONES DAY
555 South Flower Street, 50th Floor
Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
Facsimile: (213) 243-2539
Email: djmcloon@jonesday.com
mgmorgan@jonesday.com

Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ROANE HOLMAN,
and all other similarly situated,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; FINEX GROUP LLC,

Defendants.

Case No. CV-11-00180-CW

**DEFENDANT EXPERIAN
INFORMATION SOLUTIONS, INC.'S
SECOND SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS TO
PLAINTIFF NARCISCO NAVARRO
HERNANDEZ**

PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

RESPONDING PARTY: PLAINTIFF NARCISCO NAVARRO HERNANDEZ

SET NO.: TWO

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Experian Information Solutions, Inc. ("Experian"), pursuant to Rules 26 and 34 of the
3 Federal Rules of Civil Procedure, hereby serves upon Plaintiff Narcisco Navarro Hernandez
4 ("Plaintiff") the following requests for production of documents. Plaintiff shall produce the
5 requested documents for inspection and copying at the offices of Jones Day, 555 South Flower,
6 50th Floor, Los Angeles, California, 90071, within 30 days of the service of these requests.

7 **DEFINITIONS AND INSTRUCTIONS**

8 The following definitions and instructions shall apply to Experian's requests:

9 1. "DOCUMENT" is used in the broadest sense contemplated by Federal Rule of
10 Civil Procedure 34, and includes, but is not limited to, the following items: agreements; drafts;
11 communications; correspondence; e-mails; telegrams; cables; facsimiles; memoranda; records;
12 books; financial statements; summaries of records or notes of personal conversations or
13 interviews; diaries; calendars; forecasts; statistical statements; accountant's work papers; graphs;
14 charts; maps; diagrams; blue prints; tables; indexes; pictures; recordings; tapes; microfilm; charge
15 clips; accounts; analytical records; minutes or records of meetings or conferences; reports and/or
16 summaries of investigations; opinions or reports of consultants; appraisals; reports and/or
17 summaries of negotiations; brochures; pamphlets; circulars; trade letters; press releases; contracts;
18 stenographic, handwritten or any other notes; projections; working papers; federal and state
19 income tax returns; checks, front and back; check stubs or receipts; shipping documents;
20 manifests; invoice vouchers; computer printouts and computer disks and tapes; and tape data
21 sheets or data processing cards or disks or any other written, recorded, transcribed, punched,
22 taped, filmed or graphic matters; however produced or reproduced.

23 2. "YOU" or "YOUR" refers to Plaintiff Narcisco Navarro Hernandez and his agents.

24 3. Reference to the singular in any of these requests shall also include a reference to
25 the plural, and reference to the plural shall include a reference to the singular.

26 4. The documents requested herein shall be produced as they are kept in the usual
27 course of business or shall be organized and labeled according to the number of the document
28 request to which the documents pertain.

1 5. The duty to produce documents shall not be limited or affected by the fact that the
2 same document is available through another source. All documents should be produced which
3 are not subject to an objection and are known by, possessed or controlled by, or available to YOU
4 or any of YOUR attorneys, consultants, representatives, employees, officers, directors, partners,
5 or other agents.

6 6. In the event YOU assert any form of objection or privilege as a ground for not
7 answering a document production request or any part of a request, please set forth the legal
8 grounds and facts upon which the objection or privilege is based. If the objection relates to only
9 part of the document request, the balance of the request should be answered in full. With respect
10 to any document which is withheld on a claim of privilege, YOU shall provide, at the time the
11 responses are due hereunder, a statement setting forth as to each such document the following
12 information:

- 13 a. the name(s) of the sender(s) of the document;
- 14 b. the name(s) of the author(s) of the document;
- 15 c. the name(s) of the person(s) to whom the document or copies were sent;
- 16 d. the date of the document;
- 17 e. a brief description of the nature and subject matter of the document; and
- 18 f. the nature of the privilege or the authority which is claimed to give rise to
19 it.

20 7. If any documents requested have been destroyed, lost, mislaid, or are otherwise
21 missing, please so state, specifying for each document or thing:

- 22 a. the type of document;
- 23 b. a description of the nature and contents of the document;
- 24 c. the identity of the author;
- 25 d. the circumstances under which it was destroyed, lost, mislaid, or otherwise
26 misplaced;
- 27 e. the identity of all Person(s) having knowledge of the circumstances under
28 which it ceased to exist; and

1 f. the identity of all Person(s) who had knowledge of the contents.

2 8. Should you obtain any other documents or information which would supplement
3 or modify the documents or information supplied by you in response to this request, you are
4 directed, pursuant to Federal Rule of Civil Procedure 26(e), to give timely notice of such
5 documents and information and to furnish the additional documents or information to
6 EXPERIAN without delay.

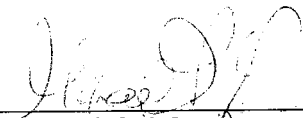
7 **DOCUMENTS TO BE PRODUCED**

8 **REQUEST FOR PRODUCTION NO. 45:**

9 All DOCUMENTS identified in YOUR responses to Experian's Second Set of
10 Interrogatories.

11
12 Dated: October 12, 2012

JONES DAY

13
14 By: 
15 Michael G. Morgan

16 Attorneys for Defendant
17 EXPERIAN INFORMATION SOLUTIONS,
18 INC.
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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S**
8 **SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**
9 **TO PLAINTIFF NARCISCO NAVARRO HERNANDEZ**

10 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California addressed as set
12 forth below.

13 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
14 persons at the address set forth below and providing them to a professional
15 messenger service for personal service.

16 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
17 to the person(s) at the e-mail address(es) set forth below.

18 **VIA PERSONAL AND**
19 **ELECTRONIC SERVICE**

20 Andrew J. Ogilvie, Esq.
21 Mark F. Anderson, Esq.
22 Carol Brewer, Esq.
23 ANDERSON, OGILVIE & BREWER,
24 LLP
25 600 California Street, 18th Floor
26 San Francisco, CA 94108
27 Tel: (415) 651-1951/(415) 651-1952
28 Fax: (415) 956-3233
andy@aoblawyers.com
mark@aoblawyers.com
carol@aoblawyers.com

VIA FIRST CLASS MAIL AND
ELECTRONIC SERVICE

Balám O. Letona, Esq.
LAW OFFICE OF BALÁM O.
LETONA
55 River Street, Suite 220
Santa Cruz, CA 94064
Tel. (831) 421-0200
Fax. (831) 421-0400
letonalaw@gmail.com

24 I am readily familiar with the firm's practice of collection and processing correspondence
25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
27 motion of the party served, service is presumed invalid if postal cancellation date or postage
28 meter date is more than one day after date of deposit for mailing an affidavit.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

5
6 
7 Martha Manriquez

Daniel J. McLoon (State Bar No. 109598)
Michael G. Morgan (State Bar No. 170611)
JONES DAY
555 South Flower Street, Fiftieth Floor
Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
Facsimile: (213) 243-2539
Email: djmcloon@JonesDay.com
mgmorgan@JonesDay.com

Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ROANE HOLMAN, and all others similarly
situated,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; FINEX GROUP LLC,

Defendants.

Case No. CV-11-00180-CW

Assigned to the Honorable
Claudia Wilken

**EXPERIAN INFORMATION
SOLUTIONS, INC.'S FIRST SET OF
REQUESTS FOR ADMISSION TO
PLAINTIFF NARCISCO NAVARRO
HERNANDEZ**

PROPOUNDING PARTY: DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.

RESPONDING PARTY: PLAINTIFF NARCISCO NAVARRO HERNANDEZ

SET NO.: ONE

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Pursuant to Federal Rule of Civil Procedure 36, Experian Information Solutions, Inc.
3 (“Experian”) hereby requests that Plaintiff Narcisco Navarro Hernandez (“Plaintiff”) respond to
4 the following requests for admissions within thirty (30) days of service.

5 **DEFINITIONS AND INSTRUCTIONS**

6 The following definitions and instructions shall apply to Experian’s Request for
7 Admissions:

- 8 1. “YOU” or “YOUR” refers to Plaintiff Hernandez and his agents.
- 9 2. “EXPERIAN” refers to Experian Information Solutions, Inc.
- 10 3. “FINEX” refers to Finex Group LLC, a California corporation with its principal
11 place of business in San Jose, California.
- 12 4. “FINEX LIST” refers to the spreadsheets that Plaintiffs provided to Experian on or
13 about July 9, 2012 purporting to set forth information pertaining to approximately 36,387
14 consumers.
- 15 5. “FINEX FILES” refers to the consumer account files and other records that
16 Plaintiffs provided to Experian on or about May 16, 2012 and August 8, 2012.

17
18 **REQUEST FOR ADMISSIONS**

19 **REQUEST FOR ADMISSION NO. 1:**

20 Admit that YOU have no evidence to establish that any consumer on the FINEX LIST did
21 not initiate the tow of their vehicle.

22 **REQUEST FOR ADMISSION NO. 2:**

23 Admit that YOU have no evidence to establish that the towing debt of any consumer on
24 the FINEX LIST was not judicially established.

25 **REQUEST FOR ADMISSION NO. 3:**

26 With respect to each consumer whose FINEX FILE contains a notice of lien sale
27 purporting to indicate that a public agency authorized the tow of the consumer’s vehicle, admit
28 that YOU have no evidence to establish that the consumer did not ask the public agency to

1 request the tow (e.g., following an accident or mechanical failure).

2 **REQUEST FOR ADMISSION NO. 4:**

3 With respect to each consumer whose FINEX FILE contains a notice of lien sale
4 purporting to indicate that a public agency did not authorize the tow of the consumer's vehicle,
5 admit that YOU have no evidence to establish that the tow was not initiated by the consumer.

6 **REQUEST FOR ADMISSION NO. 5:**

7 Admit that the FINEX LIST includes consumers who initiated the tow of their vehicles.

8 **REQUEST FOR ADMISSION NO. 6:**

9 Admit that the FINEX LIST includes consumers whose towing debt has been judicially
10 established.

11 Dated: October 12, 2012

JONES DAY

13
14 By: 

Michael G. Morgan

15 Attorneys for Defendant
16 EXPERIAN INFORMATION SOLUTIONS,
17 INC.
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1 **PROOF OF SERVICE**

2 I, Martha Manriquez, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, 50th Floor, Los Angeles, California 90071-2300. On July 13, 2012, I
6 served a copy of the within document(s):

7 **EXPERIAN INFORMATION SOLUTIONS, INC.'S FIRST SET OF**
8 **REQUESTS FOR ADMISSION TO PLAINTIFF NARCISCO NAVARRO**
9 **HERNANDEZ**

10 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California addressed as set
12 forth below.

13 ☒ by placing the document(s) listed above in a sealed envelope addressed to the
14 persons at the address set forth below and providing them to a professional
15 messenger service for personal service.

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18 **VIA PERSONAL AND**
19 **ELECTRONIC SERVICE**

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andy@aoblawyers.com
mark@aoblawyers.com
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VIA FIRST CLASS MAIL AND
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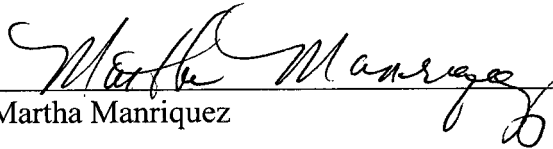
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25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
27 motion of the party served, service is presumed invalid if postal cancellation date or postage
28 meter date is more than one day after date of deposit for mailing an affidavit.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service as made.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on October 12, 2012, at Los Angeles, California.

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6 
7 Martha Manriquez